

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MONSURU WOLE SHO,

Petitioner,

v.

CURRENT OR ACTING FIELD OFFICE
DIRECTOR, SAN FRANCISCO FIELD
OFFICE, UNITED STATES
IMMIGRATION AND CUSTOMS
ENFORCEMENT, et al.

Respondents.

No. 1:21-cv-1812-TLN-AC

No. 1:23-cv-0029-TLN-AC

ORDER

Petitioner, an immigration detainee, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 15, 2023, the magistrate judge issued findings and recommendations herein which were served on all parties, and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 47 at 9-10.) All parties have stated their non-opposition to the findings and recommendations. (ECF Nos. 48, 49.)

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602

1 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.
2 See *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). The Court has
3 reviewed the file and finds the findings and recommendations to be supported by the record and
4 by the magistrate judge's analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The findings and recommendations issued June 15, 2023 (ECF No. 47), are
7 ADOPTED in full;

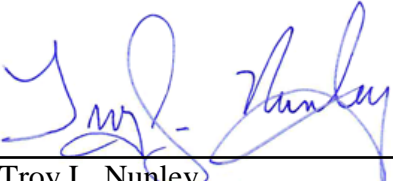
8 2. The petition is GRANTED;

9 3. Within fourteen days from the date of this order, the Government shall provide
10 petitioner with a constitutionally compliant bond hearing at which it shall have the burden of
11 proof by clear and convincing evidence, and

12 4. All pending motions in related case *Sho v. Becerra*, No. 23-cv-0029-TLN-AC (ECF
13 Nos. 10, 15, 16) are DENIED as moot and the case is DISMISSED as moot.

14 Date: June 20, 2023

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Troy L. Nunley
United States District Judge